

Message

From: Wood, MelanieL [Wood.MelanieL@epa.gov]
Sent: 3/20/2020 8:50:36 PM
To: Darling, Corbin [Darling.Corbin@epa.gov]; Heffernan, Daniel [Heffernan.Daniel@epa.gov]
Subject: FW: EJ Question

I asked for this from Phil thinking it might be helpful with Dewey Burdock.

From: Strobel, Philip <Strobel.Philip@epa.gov>
Sent: Friday, March 20, 2020 2:04 PM
To: Wood, MelanieL <Wood.MelanieL@epa.gov>
Subject: RE: EJ Question

Not sure exactly what you are looking for. Here's an EJ comment from a recent project. Hoping there is something helpful here:

Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations applies to federal agencies that conduct activities that substantially affect human health or the environment. Consistent with this executive order and the CEQ guidance on Environmental Justice under NEPA (available along with other EJ resources at <http://www.epa.gov/nepa/environmental-justice-guidance-national-environmental-policy-act-reviews>), the EPA recommends the NEPA analysis include the following:

- Identify any minority, low-income and tribal communities or resources within the geographic scope of the impact area. Include the data sources and describe the methodology and criteria utilized in making determinations. The EPA recommends comparing census block group percentages (if available, or, at a minimum, census tract data) for below poverty and minority populations with the state average or other appropriate reference population. We recommend conducting the following steps if a block group percentage is greater than 50% or meaningfully greater than the reference population.
- Assess environmental justice and other socioeconomic concerns for any environmental justice communities, to the extent information is available, including:
 - A discussion of the potential direct, indirect and cumulative environmental impacts of the proposed project on the health or welfare of these communities, including air quality and water quality and impacts. Health risks to environmental justice communities from the proposed pipeline may include construction and operation impacts as well as potential leak risks.
 - An evaluation of the socio-economic impacts and benefits to the local communities, including the potential for any additional loading placed on local communities' abilities to provide necessary public services and amenities.
 - A determination of whether there may be disproportionately high and adverse human health or environmental effects, including cumulative impacts, on the identified communities if the corridor is developed.
- Mitigation measures or alternatives to avoid or reduce any disproportionate adverse impacts. The EPA recommends involving any affected communities in developing the measures and in identifying alternate corridor routes. Given that this is a linear project, the BLM may want to consider the guidance developed by the Federal Highway Administration for linear transportation projects (https://www.environment.fhwa.dot.gov/env_topics/ej/guidance_ejustice-nepa.aspx). In addition, the EPA recommends reviewing the EIS for the expansion of I-25 through Pueblo, Colorado (<https://www.codot.gov/library/studies/i25puebloeis>, see chapter 3.6). The Pueblo EIS has a good discussion of minority and low-income thresholds, examples of adjusting the alternatives to reduce impacts to EJ populations, and mitigation measures.

Philip S. Strobel

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From: Wood, MelanieL <Wood.MelanieL@epa.gov>

Sent: Friday, March 20, 2020 1:49 PM

To: Strobel, Philip <Strobel.Philip@epa.gov>

Subject: EJ Question

Hi Phil –

Do you have something that is a general response that we might use in response to EJ comments raised in an EIS.

Melanie

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